

Department of Permitting and Inspections

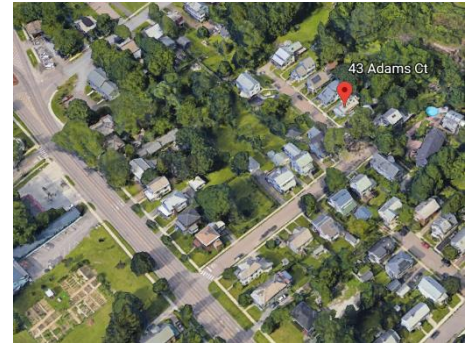
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MEMORANDUM

To: The Design Advisory Board
From: Mary O'Neil, AICP, Principal Planner
RE: ZP21-457, 43 Adams Court
Date: July 13, 2021, **September 14, 2021**



File: ZP21-457 OG
Location: 43 Adams Court
Zone: RL **Ward:** 6S
Parking District: Neighborhood Parking District
Date application accepted: May 25, 2021
Revised Plans uploaded: August 15, 2021
Applicant/ Owner: Jake Pill

Request: Rebuild north facing dormer and add south facing dormer with 7' ceiling height, rebuild back deck and stairs to code, request for a one space parking waiver for the total number of spaces to 3; remove false chimney.

Background:

- **Zoning Permit 21-0312CA;** Remove chimney and rebuild above roofline; add roof window; replace front windows to meet egress; add window to east facing dormer, install heat pump. Property remains a duplex as permitted under ZP83-057. October 2020.
- **Non-applicability of Zoning Permit Requirements 12-0501NA;** relace existing rolled roofing with new rolled roofing. October 2011.
- **Zoning Permit 02-060;** construction of a rear deck, approximately 9.5' x 6' for the existing single family home. August 2001.
- **Zoning Permit 96-195;** installation of a 4 x 8 gazebo in the rear yard of the existing single family home. Proposal includes



installation of 3 skylights, bay window and relocation of an existing window and construction of an 8.5' x 8' open rear deck. October 1995.

- **Zoning Permit 83-057**; convert single family dwelling to duplex. Add parking and entrance. March 1983.
- **Zoning Permit 81-475**; add dormer on north side of roof with 2 windows. May 1981.
- **Zoning Permit n.n.**; relocate the existing garage 20' forward from the present location and to within 3' of the north boundary line. Approved December 1971.

Overview:

43 Adams Court (house and garage) were constructed c. 1926 in a vernacular Craftsman style. A 1983 permit converted the use to a duplex (although the owner used the property as a single family home for a period of time after issuance of the permit.) The duplex use was confirmed under ZP21-0312CA, October 2020. The house was listed on the Vermont State Register in July 2005.

From submitted photographs, it appears that the second story front windows have been replaced (21-0312CA), however do not match the visual characteristics of the original windows. That permit has not received a Certificate of Occupancy.

Revised plans were received August 15, 2021; a collection of three options for raising the roof.

Part 1: Land Division Design Standards

Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a)Protection of Important Natural Features:

The project will not impact natural features of the site. The majority of the work is to add large dormers on the residence, rebuild a rear deck and remove a chimney.

(b) Topographical Alterations:

No topographical alterations are included with this application.

(c)Protection of Important Public Views:

There are no important public views from or through this parcel. Not applicable.

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

See Section 5.4.8, below.

(e) Supporting the Use of Renewable Energy Resources:

No part of this application will preclude the use of wind, water, solar, geothermal, or other renewable energy resource.

(f) Brownfield Sites:

This parcel is not listed on the Vermont DEC list of identified Brownfields.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

A partial roof cover is illustrated over the rear staircase, which may in fact be a requirement for a rental property. **A roof extension is now illustrated over the rear, second story entrance door.**

(h) Building Location and Orientation:

There is no proposed change to the building's location or orientation.

(i) Vehicular Access:

There is no proposed change to the existing vehicular access. It will remain as an existing driveway from Adams Court.

(j) Pedestrian Access:



The front entrance is immediately accessible to a walkway connecting to the public sidewalk.

(k) Accessibility for the Handicapped:

Accessibility requirements are under the jurisdiction of the building inspector.

(l) Parking and Circulation:

The applicant is requesting a one-space parking waiver for the existing duplex; reducing on-site parking from 4 to three. See the proposed site plan.

(m) Landscaping and Fences:

There is no landscaping plan accompanying this application.

(n) Public Plazas and Open Space:

Not applicable.

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

There is no information within the submission about new light fixtures. If new lighting is proposed, fixture information, location and illumination levels shall be submitted for staff review.

(p) Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

Utility connections and mechanical equipment shall be provided on building elevations and the site plan as appropriate. **Plan SK-46 illustrates a wall-hung condensing unit mounted on the rear of the structure; acceptable as it is not visible from the public right-of-way.**

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

43 Adams Court is among a group of modest Craftsman style bungalows constructed in the 1920s on Adams Court. Two of them have already seen oversized rear additions, completed under different regulations and likely before the street was listed on the Vermont State Register in 2005. The tendency to pop the roof and create either an oversized addition or roof wings on these characteristically small residences negatively affect the historic integrity of the structure; oftentimes at the expense of its inherent design. The proposed **vertical addition on all three plans**



remain out of scale with the existing structure; their height and additional roof mass disruptive to the very distinctive and modest architecture.

2. Roofs and Rooflines.

The over-roof dormers appear as gable front from the street, but are in fact a “saddle” atop the existing structure.

3. Building Openings

Paired double hung windows are proposed, with the exception of an existing awning window in an easterly elevation. The windows inserted in the primary façade, second story are NOT compatible with the existing architecture, and should visibly replicate the original windows (paired double hung), even if they operate differently than the originals to meet life safety requirements. The windows will need to be modified to be compliant with the permit issued in October 2020.

(b) Protection of Important Architectural Resources:

Burlington’s architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.

See Section 5.4.8.

(c) Protection of Important Public Views:

Not applicable.

(d) Provide an active and inviting street edge:

The 2nd story replacement windows are clearly unsympathetic with the existing Craftsman style home. The proposed dormers contradict Preservation Brief #14 relative to additions on historic structures, in that they fail to be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. The saddle-type placement of options B & C, on top of the existing ridge and extending on both the north and south sides of the dwelling overpower the original structure and mar its integrity. To a more

extreme degree, Option C completely obliterates the original roofline and alters the physical characteristics of the building.

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

The applicant has provided information about cedar shingles and a standing seam metal roof. The existing house has shingles. Standing seam is acceptable for new construction.

Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.

There is no information that consultation with an architectural historian has been included with this application.

(f) Reduce energy utilization:

All new construction shall meet the Guidelines for Energy Efficient Construction pursuant to the requirements of Article VI. Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

(g) Make advertising features complementary to the site:

Not applicable.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p), above.

(i) Make spaces secure and safe:

Development shall only occur subject to conformance with building and life safety code as defined by the Building inspector.

Sec. 5.4.8 Historic Buildings and Sites

The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:

To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;

To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;

To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,

To promote the adaptive re-use of historic buildings and sites.

(a) Applicability:

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

43 Adams Court was included with other properties on Adams Street, Adams Court, Clymer Street, Hoover Street, Ludwig Crescent, Perotta Place and Redstone Terrace listed on the Vermont State Register of Historic Places by the Vermont Advisory Council for Historic Preservation in July 2005.

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The property was constructed as a dwelling unit; although now converted to a duplex, the use remains residential.

The desire to expand roof height and to remove an original chimney are alterations that change the features, spaces and spatial relationships of the property.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The historic character of the property will be negatively affected by the addition of the large dual dormer that exceeds the height of the existing ridgeline. Any replacement windows need to be sympathetic and compatible with the existing Craftsman-inspired dwelling.

Removal of original chimneys has been repeated and consistently denied on historic structures. Approval has been allowed for removal and rebuild above the roofline to maintain the character of the building. Although the chimney was approved for removal under ZP21-0312CA, it was conditioned that it be rebuilt above the ridgeline to maintain the visual characteristics of the listed historic property. Wholesale removal of original chimneys has not been permitted under this ordinance.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The dormers are out-of-scale and inconsistent with this historic property.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

The small northerly dormer is typical of modest alterations to these 1920s properties, has retained significance in its own right and may be retained.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

Craftsman inspired structures are typically smaller in scale, with low pitched gable roofs and exposed rafter tails (seen on the partial width front porch.) Dormers are usually gabled or shed (with a similar low pitch), and never exceeding the height of the ridgeline. The shingled siding is consistent with the style, **although the applicant has now suggested cedar clapboard siding as a preferred sheathing**. The proposed alterations **in scale and massing** significantly alter the historic character of the property, negatively affecting its architectural integrity.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

The replacement rear stairs and deck are understandable alterations. The remainder of the proposal eliminates an original character defining feature (chimney) and alters the characteristic roofline (dormer addition **or overall vertical expansion**) that are ultimately born from renovation and not repair.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

While no chemical treatments are proposed, the wholesale removal of the chimney is an extreme physical treatment that removes a component of the historic home.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

There are no identified archaeological resources on this parcel.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

The rear deck and replacement stairway are acceptable alterations. The enlarged dormers and chimney removal are both contrary to this standard.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

It may be possible to reconstruct the roof to its original state if the dormers and chimney are removed, if photo documentation preserves the original appearance and scale.

Items for the Board's consideration:

1. The removal of the chimney and the erection of a connected saddle dormer over the ridgeline of 43 Adams Court **or wholesale structural vertical expansion** will alter the spaces and spatial relationships of the structure, negatively impacting the historic integrity of the dwelling.
2. Any replacement sash shall visually replicate the original windows, even if they may operate differently than the originals. The single sash casements obvious in the application materials lack the visual characteristics of the originals **and are inconsistent with the approval issued in October 2020.**
3. If new lighting is proposed, fixture information, location and illumination levels shall be submitted for staff review.
4. **As discussed at the DRB meeting July 13, 2021, staff would recommend a rear addition to expand the second unit rather than a "pop top" addition to preserve the characteristics of the existing bungalow.**
5. The DAB may opine on the request for a one-space parking waiver.